

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

RYAN WILSON, an individual,

Plaintiff,

v.

APARTMENT MANAGEMENT  
CONSULTANTS, LLC, a Utah  
corporation; and AMBER ANDERSON,  
an individual,

Defendants.

CASE NO. 12-5436 RJB

ORDER ON JOINT MOTION TO  
CONTINUE

This matter comes before the Court on the parties' Joint Motion to Continue Trial Date and for Extension of Case Scheduling Deadlines. Dkt. 59. The Court has considered the pleadings filed regarding the motion and the remaining file.

In this case, Plaintiff asserts that his employment was wrongfully terminated due to his disability - diabetes. Dkt. 16. He makes a claim for disability discrimination, under federal law pursuant to the Americans with Disabilities Act ("ADA") 42 U.S.C. § 12101, *et seq. Id.* He

1 makes additional claims under Washington law for disability discrimination, wrongful  
 2 termination, defamation, and tortious interference with a business expectancy. *Id.* He seeks  
 3 declaratory and injunctive relief, and damages. *Id.*

4 Parties move for an extension of time for certain pretrial deadlines and to reset the trial  
 5 date from May 20, 2013 to September 20, 2013 in order to engage in an alternative dispute  
 6 resolution process. Dkt. 59. Parties move to have the non-expert discovery deadline reset to  
 7 April 15, 2013; the dispositive motions deadline reset to May 1, 2013; and the expert discovery  
 8 deadline reset to August 1, 2013. *Id.* Parties further agreed to stay the pending discovery and  
 9 other motions in this case. *Id.* (Now pending is a Motion to Amend Complaint (Dkt. 51) and a  
 10 Second Motion to Compel Production of Documents (Dkt. 56)).

11 Pursuant to Fed. R. Civ. P. 16(b)(4), the court may modify an existing case schedule for  
 12 good cause. Parties have shown good cause for a modification of the case schedule, however,  
 13 they failed to confer with the Court's staff in order to get a trial date. The trial date should be  
 14 reset to September 23, 2013. The remaining proposed dates should be reset as requested.  
 15 Further, the Motion to Amend Complaint (Dkt. 51) and a Second Motion to Compel Production  
 16 of Documents (Dkt. 56) should be stricken, and renoted if necessary.

17 Therefore, it is hereby **ORDERED** that:

- 18 • Parties' Joint Motion to Continue Trial Date and for Extension of Case  
 19 Scheduling Deadlines (Dkt. 59) is **GRANTED** as follows:

- 20 ○ Trial will begin on September 23, 2013;
- 21 ○ Non-expert discovery deadline reset to April 15, 2013;
- 22 ○ Dispositive motions deadline reset to May 1, 2013;
- 23 ○ Expert discovery deadline reset to August 1, 2013; and

- 1                   ○ Motion to Amend Complaint (Dkt. 51) and a Second Motion to Compel  
2                   Production of Documents (Dkt. 56) are **STRICKEN**.

3                   The Clerk is directed to send uncertified copies of this Order to all counsel of record and  
4 to any party appearing *pro se* at said party's last known address.

5                   Dated this 11th day of February 2013.

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9                   ROBERT J. BRYAN  
10                  United States District Judge  
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